

# DECLARATION FOR PATENT APPLICATION

Pocket Number: 6071/005

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "EXPERT SYSTEM SOFT TISSUE ACTIVE MOTION TECHNIQUE FOR RELEASE OF ADHESIONS AND ASSOCIATED APPARATUS FOR FACILITATING SPECIFIC TREATMENT MODALITIES" the specification of which is attached hereto unless the following is checked:

X was filed on February 28, 1997 as United States Application Number or PCT International Application Number 08/807,792 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56:

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

Yes No

(Number) (Country) (Day/Month/Year Filed)

Yes No

(Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number) (Filing Date) (Status - patented, pending, abandoned)

(Application Number) (Filing Date) (Status - patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith: Donald M. Duft 17,484; James M. Graziano 28,300; Carl A. Forest 28,494; Mark A. Guetlich 38,900; Dan Cleveland, Jr. 36,106; Martin L. Shively 33,553 and Steven W. Weinrieb 26,520. Address all telephone calls to Dan Cleveland, Jr. at Telephone No. (303) 449-9497 and address all correspondence to Dan Cleveland, Jr., DUFT, GRAZIANO & FOREST, P.C., 1790 - 30th Street, Suite 140, Boulder, Colorado 80301-1018.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor, if any (given name, family name) P. Michael Leahy

Inventor's signature P. Michael Leahy Date \_\_\_\_\_

Residence Colorado Springs, Colorado Citizenship U.S.

Post Office Address 8615 Chapel Square Court, Colorado Springs, Colorado 80920

Full name of sole or second joint inventor, if any (given name, family name) Tim Patterson

Inventor's signature Tim Patterson Date 6/19/97

Residence Colorado Springs, Colorado Citizenship U.S.

Post Office Address 4865 Langdale Way, Colorado Springs, Colorado 80906

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.27(f) & 1.27(c)) -- SMALL BUSINESS CONCERN

Packet Number: 6071/005

Applicant or Patentee: P. Michael Leahy and Tim Patterson

Serial or Patent Number: 08/807,792

Filed or Issued: February 28, 1997

Title: EXPERT SYSTEM ACTIVE MOTION MASSAGE TECHNIQUE FOR RELEASE OF SOFT TISSUE ADHESIONS AND ASSOCIATED APPARATUS FOR FACILITATING SPECIFIC TREATMENT MODALITIES

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ An official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Active Release Techniques, LLP

ADDRESS 10 North Meade Avenue, Colorado Springs, Colorado 80909

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that the rights under the contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☐ the specification filed herewith with title as listed above.

☒ the application identified above.

☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

☐ No such person, concern or organization exists.

☐ Each such person, concern or organization is listed below:

FULL NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUS. CONCERN

☐ PROFIT ORGANIZATION

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Tim Patterson

TITLE OF PERSON IF OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 4865 Langdale Way, Colorado Springs, Colorado 80920

SIGNATURE Tim Patterson

DATE 6/14/97

(2/92 - PTO)

**ASSIGNMENT**

WHEREAS, we, P. Michael Leahy, whose residence address is 8615 Chapel Square Court, Colorado Springs, Colorado 80920; and Tim Patterson, whose residence address is 4865 Langdale Way, Colorado Springs, Colorado 80906; (the "Assignors"); having invented a certain new and useful invention for "EXPERT SYSTEM SOFT TISSUE ACTIVE MOTION TECHNIQUE FOR RELEASE OF ADHESIONS AND ASSOCIATED APPARATUS FOR FACILITATING SPECIFIC TREATMENT MODALITIES" for which we are about to make application for Letters Patent of the United States, said application being identified as Docket No. 6071/005 in the law offices of Duft, Graziano, and Forest, P.C., 1790 - 30th Street, Suite 140, Boulder, Colorado 80301-1018, and herewith executed on the date listed hereinbelow; and

WHEREAS, Active Release Techniques, LLP, a Colorado limited liability partnership, whose post office address is 10 North Meade Avenue, Colorado Springs, Colorado 80909, (the "Assignee"), is desirous of acquiring the entire right, title and interest in and to the aforesaid invention and application for Letters Patent in the United States and in any and all foreign countries. NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration from said Assignee, we the aforesaid, P. Michael Leahy, and Tim Patterson, hereby sell, transfer and set over to the said Assignee, successors, legal representatives and assigns, the entire right, title and interest in and to the aforesaid invention and the aforesaid application, for the territory of the United States of America and for all foreign countries, and to all Letters Patent, divisions, continuations, continuations-in-part, substitutions, reissues, re-examinations and extensions to be obtained therefor; and we further agree to cooperate with the said Assignee hereunder in the obtaining and the sustaining of any or all such Letters Patent but at the expense of the said Assignee.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with this Assignment, to the said Assignee, its successors, legal representatives and assigns, as the Assignee of the entire right, title and interest therein.

Further, we agree that we will communicate to said Assignee, or its representatives any facts known to us respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all division, continuation, continuation-in-

proceedings, sign all lawful papers, execute all division, continuation, continuation-in-part, substitution, reissue, re-examinations and extension applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to said Assignee, make all rightful oaths and generally do everything necessary or desirable to aid said Assignee, their successors and assigns, to obtain and enforce proper protection for said invention in the United States and in any and all foreign countries.

This Assignment is executed by P. Michael Leahy, and Tim Patterson, as of the respective date set forth below to be effective as of the respective date set forth below.

Date: 6-19-97

By: P. Michael Leahy  
P. Michael Leahy

Date: 6/19/97

By: Tim Patterson  
Tim Patterson